

PLANNING COMMISSION AGENDA
CITY OF NEWPORT BEACH
COUNCIL CHAMBERS - 3300 NEWPORT BOULEVARD
Thursday, December 8, 2011
Regular Meeting – 6:30 p.m.

MICHAEL TOERGE
Vice Chair

BRADLEY HILLGREN
Secretary

ROBERT HAWKINS
FRED AMERI
KORY KRAMER
JAY MYERS

Planning Commissioners are citizens of Newport Beach who volunteer to serve on the Planning Commission. They were appointed by the City Council by majority vote for 4-year terms. At the table in front are City staff members who are here to advise the Commission during the meeting. They are:

KIMBERLY BRANDT, Community Development Director

**BRENDA WISNESKI, Deputy Community
Development Director**

LEONIE MULVIHILL, Assistant City Attorney TONY BRINE, City Traffic Engineer

NOTICE TO THE PUBLIC

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. Staff reports or other written documentation have been prepared for each item of business listed on the agenda. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200. The agendas, minutes and staff reports are also available on the City's web site at: <http://www.newportbeachca.gov>.

This Commission is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or lbrown@newportbeachca.gov).

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

APPEAL PERIOD: Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan and Zoning Amendments are automatically forwarded to the City Council for final action.

NEWPORT BEACH PLANNING COMMISSION AGENDA
Council Chambers – 3300 Newport Boulevard
Thursday, December 8, 2011
REGULAR MEETING
6:30 p.m.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. ELECTION OF OFFICERS**
- E. PUBLIC COMMENTS**

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to three (3) minutes. Before speaking, please state your name for the record and print your name on the tablet provided at the podium.

- F. REQUEST FOR CONTINUANCES**
- G. CONSENT ITEMS**

ITEM NO. 1 Minutes of November 3, 2011, Study Session

ACTION: Approve and file.

ITEM NO. 2 Minutes of November 17, 2011

ACTION: Approve and file.

H. PUBLIC HEARING ITEMS

ALL TESTIMONY GIVEN BEFORE THE PLANNING COMMISSION IS RECORDED. SPEAKERS MUST LIMIT REMARKS TO THREE (3) MINUTES ON ALL ITEMS. (Red light signifies when three (3) minutes are up; yellow light signifies that the speaker has one minute left for summation.) Please print only your name on the pad that is provided at the podium.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Community Development Department, Planning Division located at 3300 Newport Boulevard, during normal business hours.

ITEM NO. 3 Dr. Morgan Property Amendments (PA2011-138)
1419 Superior Avenue

SUMMARY: Amendments to the General Plan and Zoning Map to change the land use designation from Multiple Unit Residential (RM 18 DU/AC) to Medical Commercial Office (CO-M 0.49 FAR); and change the zoning district designation from Multiple Unit Residential (RM 2420) to Office Medical (OM 0.49 FAR). The amendments were initiated by the property owner who seeks to continue the existing office use of the property. The property is currently developed with a medical office building. No new land uses or development is proposed at this time.

CEQA COMPLIANCE: The proposed amendments are exempt since they do not entail any significant alteration to the subject property and will bring the General Plan Land Use and Zoning District designations into consistency with the present use. The sites are presently developed and no new development is proposed at this time, which is categorically exempt under Section

15301 of the California Environmental Quality Act (CEQA) Guidelines – Class 1 (Existing Facilities).

- ACTION:**
- 1) Conduct a public hearing; and
 - 2) Adopt Resolution No. ____ recommending the City Council:
 - Approve General Plan Amendment No. GP2011-007; and
 - Approve Code Amendment No. CA2011-010.

ITEM NO. 4 Presta Property Amendments (PA2011-179)
2888 & 2890 Bay Shore Drive

SUMMARY: Amendments to the General Plan, Coastal Land Use Plan, and Zoning Map to change the land use designations of the two subject properties. The northern parcel will change from Multi-Unit Residential (RM) to Mixed-Use Water (MU-W) related to maintain the existing commercial use. The southern parcel will remain designated for Multi-Unit Residential (RM) development, but the density requirement will be modified to reflect the existing development (RM,39du).

CEQA COMPLIANCE: The proposed amendments are exempt since they do not entail any significant alteration to the subject property and will make the General Plan land use, Coastal Land Use Plan, and Zoning District designations consistent with the present use of the subject property. The site is presently developed and no development is proposed at this time, which is exempt under Section 15301 of the California Environmental Quality Act (CEQA) Guidelines – Class 1 (Existing Facilities).

- ACTION:**
- 1) Conduct a public hearing; and
 - 2) Adopt Resolution No. ____ recommending the City Council:
 - Approve General Plan Amendment No. GP2011-008;
 - Approve Local Coastal Plan Amendment No. LC2011-004; and
 - Approve Code Amendment No. CA2011-011.

I. NEW BUSINESS

J. STAFF AND COMMISSIONER ITEMS

ITEM NO. 5 Community Development Director's report.

- 1) Confirmation of Newport Beach Banning Ranch Study Session dates.

ITEM NO. 6 Announcements on matters that Commission members would like placed on a future agenda for discussion, action, or report.

ITEM NO. 7 Request for excused absences.

ADJOURNMENT